

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WISCONSIN LABORERS HEALTH FUND, WISCONSIN LABORERS PENSION FUND, WISCONSIN LABORERS APPRENTICESHIP AND TRAINING FUND, THOMAS FISHER, WISCONSIN LABORERS DISTRICT COUNSEL, WISCONSIN LABORERS-EMPLOYERS COOPERATION AND EDUCATION TRUST FUND, NORTH CENTRAL STATES REGIONAL COUNCIL OF CARPENTERS' PENSION FUND, NORTH CENTRAL STATES REGIONAL COUNCIL OF CARPENTER'S HEALTH FUND, NORTH CENTRAL STATES REGIONAL COUNCIL OF CARPENTERS' VACATION FUND, NORTH CENTRAL STATES REGIONAL COUNCIL OF CARPENTERS' APPRENTICESHIP & JOURNEYMAN TRAINING FUND, LABOR MANAGEMENT COOPERATION TRUST OF THE NORTH CENTRAL STATES REGIONAL COUNCIL OF CARPENTERS, NORTH CENTRAL STATES REGIONAL COUNCIL OF CARPENTER'S DEFINED CONTRIBUTION PENSION FUND, CONTRACT ADMINISTRATION FUND, and BRIAN GENTRY,

ORDER

Plaintiffs,

08-cv-705-bbc

v.

HENSHUE CONSTRUCTION, INC.
and GARY HENSHUE,

Defendants.

Counsel in this case have advised the court that defendant Henshue Construction, Inc., has filed for receivership under Chapter 128, Wis. Stats.

Because the receivership proceedings may dispose of this entire case, IT IS ORDERED that the case is DISMISSED without prejudice, subject to the condition that this order of dismissal shall be vacated in the event that the receivership proceeding is terminated without disposing of the rights of the parties in this case, or a timely request is made by either party that this order to dismiss without prejudice be vacated, or for any other reason necessary to prevent manifest injustice. In the event that this order of dismissal is vacated, the parties shall have all such rights as if this case had not been dismissed.

Entered this 3d day of February, 2009.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge